

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

CHARLIE M. DAVIS, JR. #1213505	§	
	§	
V.	§	CIVIL ACTION NO. G-04-741
	§	
DOUG DRETKE, DIRECTOR,	§	
TEXAS DEPARTMENT OF CRIMINAL	§	
JUSTICE, CORRECTIONS	§	
INSTITUTIONS DIVISION	§	

ORDER OF DISMISSAL

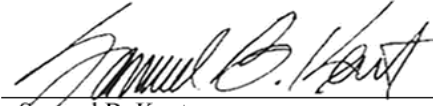
Before the Court for its Order of Acceptance is a Report and Recommendation of the Magistrate Judge, entered on January 20, 2005, which recommends that the Application for Writ of Habeas Corpus of Charlie M. Davis be dismissed with prejudice. Petitioner has filed no objections. Also before the Court is an Order for Answers to Interrogatories, ordering Plaintiff to provide a response to questions regarding possible civil rights allegations, on or before February 10, 2005. To date, Plaintiff has provided no response.

Upon review pursuant to Rule 72 of the Federal Rules of Civil Procedure, and 28 U.S.C. § 636(b)(1)(C), the Court is satisfied that there is no clear error on the face of the record in these proceedings and that the Report and Recommendation is a well reasoned and correct application of federal law, which is **ACCEPTED** by this Court and incorporated herein, by reference.

It is, therefore, **ORDERED** that the Application for Writ of Habeas Corpus of Charlie M. Davis is **DENIED** and all habeas claims are **DISMISSED** with prejudice.

If is further **ORDERED** that the civil rights claims, if any, are **DISMISSED** without prejudice for want of prosecution.

DONE at Galveston, Texas, this the 29TH day of April, 2005.



Samuel B. Kent
United States District Judge